



Eastern Kentucky University

Policy and Regulation Library

Administrative Regulation: 3.1.1ADR

Responsible Office(s): Development and Alumni Engagement

Effective: March 4, 2021

Next Review Date: March 4, 2026

Administrative Regulation: 3.1.1ADR

Fundraising

Statement

Fostering a culture of philanthropy is critical to the long-term health and vitality of the University. The Office of Development and Alumni Engagement is responsible for the general areas of Fundraising and support and serves as a liaison to the Eastern Kentucky University Foundation for development activities. These responsibilities include collaborating with Internal Constituents interested in enhancing or developing Fundraising efforts to provide the support and coordination necessary to carry out appropriate Fundraising activities, as well as ensure compliance with Laws, Regulations, and Policies.

Individual initiative by Internal Constituents in identifying and locating potential sources of Fundraising is encouraged within the framework of this policy.

The purpose of this policy is to establish Fundraising guidelines for Internal Constituents as follows:

- To coordinate the numerous Fundraising activities by Internal Constituents with the Office of Development and Alumni Engagement;
- To maximize the effectiveness and efficiency of Fundraising activities; and
- To enhance the giving of private funds to provide needed private resources to the University.

Fundraising of any kind (including but not limited to cash, publicly traded securities, Charitable Gaming, or Gifts In-Kind) is not permitted without prior approval through the Fundraising Approval Process.

Internal Constituents engaged in approved Fundraising must follow the Fundraising Policy and the Fundraising Reporting Process.

Entities Affected

Internal Constituents.

Procedures

Fundraising Approval Process

- Internal Constituents must complete and submit the Fundraising Authorization Form along with all written materials and publicity to the Office of Development and Alumni Engagement, located in Jones 324, within thirty (30) calendar days prior to the planned implementation date. This timeline can be waived by the University in special circumstances.
- All written materials and publicity will be reviewed by the Associate Vice President of Development to ensure compliance with all Laws, Regulations, and Policies.
- Fundraising activities that have potential tax implications (e.g., the sale of merchandise identified as unrelated business income) must be approved by the Office of Development and Alumni Engagement and the Office of University Accounting and Reporting prior to the planned implementation date.
- One-on-one fundraising does not require a Fundraising Authorization Form, but does require consultation with a member of the Office of Development and Alumni Engagement, preferable prior to any such exchanges. Internal Constituents within Colleges working with donors on a one-on-one basis are required to consult with the development officer assigned to the college. Internal Constituents outside of a College are required to consult with either the Vice President for Development and Alumni Engagement or the Associate Vice President of Development. Internal Constituents that operate ongoing monthly membership programs that support programming initiatives that could be considered subscriptions or donation-for-public service news/art content can request permission from the Office of Development and Alumni Engagement for exemption of this policy as long as close coordination of the membership program is made with the Office of Development and Alumni Engagement.

II. Fundraising Reporting Process

- Within one (1) Business Day of the conclusion of approved Fundraising activities all cash/check Gifts must be forwarded to the Office of Development and Alumni Engagement in Jones 324 and must be accompanied by supporting documentation listing the individual Gifts and total for reconciling purposes.
- In situations where an Internal Constituent receives a one-time Gift for any purpose for any college, department, administrative office, unit, or SSO within the University, a Gift Receipt Report must be completed and submitted to the Office of Development and Alumni Engagement in Jones 324 within one (1) Business Day.
- An Internal Constituent may not accept a Gift In-Kind on behalf of the University without prior approval by the Office of Development and Alumni Engagement.

For a pre-approved Gift In-Kind, a Gift Receipt Report and IRS Form 8283 must be completed and submitted to the Office of Development and Alumni Engagement in Jones 324 within one (1) Business Day.

III. Registered Student Organizations (RSO)

- Sponsored Student Organizations (SSO) must follow Procedures I and II above with the exception that the Fundraising Authorization Form and written materials and publicity must be submitted to the Office of Development and Alumni Engagement a minimum of ten (10) business days prior to the planned implementation date.
- Voluntarily Affiliated Student Organizations (VSO), while not official agents of the University, are encouraged to follow the same procedures as SSO, therefore utilizing the Office of Development and Alumni Engagement as a resource to ensure compliance with Laws, Regulations, and Policies and potential tax implications that could affect those organizations. VSO may not accept tax-deductible contributions on behalf of the University and are required to include that information in publicity and inform donors and possible donors that contributions are not tax deductible through the University.

Definitions

- **Business Days:** Regular business day is defined as Monday through Friday during the hours from 8:00 a.m. to 4:30 p.m.
- **Charitable Gaming:** Includes, but is not limited to bingo, raffles, and other games of chance conducted at charity Fundraising events and conducted for Fundraising purposes by a charitable organization.
- **External Constituents:** Individuals, groups, or organizations not affiliated or in partnership with the University.
- **Fundraising:** The act of requesting charitable support in the form of Gift or Gift In-Kind. This includes both formal and informal requests and those made in person, in writing, or through events or activities (e.g. Charitable Gaming).
- **Gift:** A voluntary, irrevocable transfer of something of value without consideration at the time of transfer or any time in the future.
- **Implementation Date:** The first day actual fundraising activities will begin.
- **In-Kind:** Property (other than cash or publicly traded securities) which includes but is not limited to real property, tangible property, or intellectual property (e.g. patents).
- **Internal Constituents:** University students, faculty, staff, academic departments and colleges, administrative offices and units, and Sponsored Student Organizations (SSOs). For the purposes of this policy only, Voluntary Student Organizations (VSOs) are NOT included in this definition.

- **Laws, Regulations, and Policies:** Federal or state laws, administrative regulations, and University policies, regulations, or procedures.
- **One-on-One Fundraising:** An internal constituent working with one individual or couple to solicit funds for the University.
- **Registered Student Organization (RSO):** A student organization operating on University Property that has met the minimum requirements to be recognized as one of the two types of student organizations as set forth in University Policy 5.1.2.
- **Sponsored Student Organization (SSO):** An RSO closely linked to the University having the greatest level of University support and benefits in exchange for significant accountability to the University in areas such as legal compliance, fiscal responsibility and adherence to established community standards.
- **Sponsoring Unit:** The University college, department, division, office, unit, or organization responsible for any Fundraising.
- **University:** The University college, department, division, office, unit, or organization responsible for any Fundraising.
- **University Community:** Students, faculty and staff.
- **University Property:** Any real property, buildings and facilities under the primary control of the University through ownership, lease, or other means.
- **Voluntarily Affiliated Student Organization (VSO):** An RSO having a basic level of access to University support and benefits in exchange for basic accountability to the University. These RSOs have chosen to affiliate with the University but are not agents of the University. For more information, see Policy 5.1.2, Student Organizations.

Responsibilities

- Vice President for Development and Alumni Engagement
 - Oversight and administration of the policy

Violations of the Policy

Failure to comply with this Policy may be in violation of Laws, Regulations, and Policies and will be handled through the normal University processes.

Statutory or Regulatory References

Association of Fundraising Professionals Code of Ethical Fundraising:
<http://www.afpnet.org/files/ContentDocuments/CodeofEthics.pdf>

Counsel for the Advancement and Support of Education Standards:

http://www.case.org/Samples_Research_and_Tools/CASE_Reporting_Standards_and_Management_Guidelines.html

Donor Bill of Rights:

<http://www.afpnet.org/files/ContentDocuments/DonorBillofRights.pdf>

Internal Revenue Service Publication 526: <https://www.irs.gov/uac/about-publication-526>

Internal Revenue Service Form 8283: <https://www.irs.gov/uac/about-form-8283>

Kentucky State Gaming Commission: <http://dcg.ky.gov/>

Kentucky State law:

<http://ag.ky.gov/family/consumerprotection/charity/Pages/registration.aspx>

University Policy 5.1.2, Student Organizations

Regulation Adoption Review and Approval

Regulation Issued

<u>Date</u>	<u>Entity</u>	<u>Action</u>
March 4, 2021	Board of Regents	Adopted